

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

James Preston Kilkenny,

Plaintiff,

v.

Case No.: 2:19-cv-3661
Judge Michael H. Watson
Magistrate Judge Vascura

Ryan Gabriel, *et al.*,

Defendants.

ORDER

On June 22, 2020, the United States Magistrate Judge issued a *Report and Recommendation* following Plaintiff's failure to respond to the Court's May 28, 2020 Show Cause Order. ECF No. 23. The Magistrate Judge recommended that Plaintiff's action be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute. ECF No. 31. The parties were advised of their right to object to the *Report and Recommendation* and of the consequences of their failure to do so. There has nevertheless been no objection to the *Report and Recommendation*.

The *Report and Recommendation* is hereby **ADOPTED** and **AFFIRMED**. This case is hereby **DISMISSED WITHOUT PREJUDICE** under Rule 41(b). Should Plaintiff re-file this action, he must list this action as a related case. Additionally, ECF No. 29 is **DENIED AS MOOT**. The Clerk shall remove ECF Nos. 29 and 31 from the Court's pending motions list and close this case.

IT IS SO ORDERED.

/s/ Michael H. Watson
MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT